

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ERNEST MARTIN,	)	
	)	
Plaintiff	)	
	)	Civil Action
v.	)	No. 12-cv-03665
	)	
CITY OF READING;	)	
READING POLICE DEPARTMENT;	)	
WILLIAM HEIM, CHIEF OF POLICE	)	
OF THE READING POLICE,	)	
individually and in his	)	
official capacity;	)	
OFFICER BRIAN ERRINGTON,	)	
Individually and in his	)	
official capacity,	)	
CAPTAIN DAMON KLOC,	)	
individually and in his	)	
official capacity,	)	
JOHN DOE 1 through JOHN DOE 7;	)	
PENNSYLVANIA STATE TROOPER	)	
MICHAEL PAVELKO, individually,	)	
JOHN DOE 8 and JOHN DOE 9,	)	
	)	
Defendants	)	

**O R D E R**

NOW, this 28<sup>th</sup> day of January, 2015 upon consideration of  
the following documents:

- (1) Plaintiff's Motion to Amend Plaintiff's Amended Civil Action Complaint, which motion was filed June 2, 2014 (Document 58)("Motion to Amend"), together with
  - (A) Plaintiff's Brief in Support of Plaintiff's Motion to Amend Plaintiff's Amended Civil Action Complaint (Document 58-1)("Plaintiff's Brief"); and
  - (B) Exhibits A through J to the Motion to Amend (Documents 58-2 through 58-4);

- (2) Defendants, City of Reading, Chief William Heim, Captain Damon Kloc, and Officer Brian Errington's Response in Opposition to Plaintiff's Motion to Amend the Complaint, was filed on June 16, 2014, (Document 59)("Reading Defendants' Response"), together with:
  - (A) Defendants' Exhibits A through C to Reading Response (together, Document 59); and
  - (B) Brief in Support of [Reading] Defendants' Response in Opposition to Plaintiff's Motion to Amend the Complaint (for the Third Time)(Document 59-1)("Reading Defendants' Brief"); and
- (3) [Defendant Trooper] Pavelko's Response in Opposition to Plaintiff's Motion to Amend the Amended Complaint, which response was filed on June 16, 2014 (Document 60)("Trooper Pavelko's Response");

after oral argument on the within motion held before me on July 16, 2014; and for the reasons expressed in the accompanying Opinion,

IT IS ORDERED that the within Motion to Amend is denied.

IT IS FURTHER ORDERED that a second Rule 16 telephone scheduling conference with the undersigned is scheduled for February 4, 2015 at 11:00 o'clock a.m.

BY THE COURT:

/s/ JAMES KNOLL GARDNER\_\_\_\_\_  
James Knoll Gardner  
United States District Judge